

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

|                            |   |            |
|----------------------------|---|------------|
| LLOYD R. TRACKWELL,        | ) |            |
|                            | ) |            |
| Plaintiff,                 | ) | 4:05CV3197 |
|                            | ) |            |
| v.                         | ) |            |
|                            | ) |            |
| F. WARD HOPPE, ANDREW      | ) | ORDER      |
| JACOBSEN, GARY LACY, RANDY | ) |            |
| KING, GUS HITZ and ROBERT  | ) |            |
| MOLINE,                    | ) |            |
|                            | ) |            |
| Defendants.                | ) |            |
|                            | ) |            |

---

IT IS ORDERED:

Plaintiff's Voluntary Dismissal, filing 8, construed as a motion to dismiss is granted.

DATED this 19<sup>th</sup> day of January, 2006.

BY THE COURT:

s/ *David L. Piester*

David L. Piester  
United States Magistrate Judge